

REASONS FOR NOT PROVIDING INFORMATION

Exemptions apply, subject to the public interest tests.

Section 27(1) - information intended for future publication

Section 30(b)(i) - free and frank provision of advice

Section 30(b)(ii) - free and frank exchange of views for the purposes of deliberation

Section 38(1)(a) personal data relating to the applicant

Exemptions under sections 27(1) - information intended for future publication, 30(b)(i)(ii) - free and frank provision of advice and exchange of views for the purposes of deliberation and Section 38(1)(a) personal data relating to applicant, of FOISA apply to some of the information requested. These exemptions apply because disclosure would, or would be likely to inhibit substantially the free and frank provision of advice and exchange of views for the purposes of deliberation and discussion. These exemptions recognises the need for officials to have a private space within which to discuss issues and options with colleagues and stakeholders, in this case Caledonian Maritime Assets Ltd and community groups. Disclosing the content of these discussions will substantially inhibit such discussions in the future, because these stakeholders / community groups will be reluctant to provide their views fully and frankly if they believe that those views are likely to be made public.

Public interest test

These exemptions are subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemptions. We have found that, on balance, the public interest lies in favour of upholding the exemptions. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing officials, stakeholders and community groups a private space within which to communicate.

We consider, therefore, on balance, that the public interest in release is outweighed by that in favour of upholding the exemptions.